



Patent and Trademark Office

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
		EXAMINER	
		ART UNIT	PAPER NUMBER
		10	
DATE MAILED:			

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 3/24/01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- 1. The amendment does not include a clean version of the **replacement paragraph(s)/section(s)**.
37 CFR 1.121(b)(1)(ii).
- 2. The amendment does not include a marked-up version of the **replacement paragraph(s)/section(s)**.
37 CFR 1.121(b)(1)(iii)
- 3. The amendment does not include a clean version of the **amended claim(s)**. 37 CFR 1.121(c)(1)(i)
- 4. The amendment does not include a marked-up version of the **amended claim(s)**. 37 CFR 1.121(c)(1)(ii)
- 5. Other _____

- PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

- AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

[Handwritten signature]
Legal Instruments Examiner

Changes to the Patent Rules

October 24, 2000

bulletins to assist you in keeping up to date with the latest news and developments. Please contact the MPPA office for your press kit, MPPA, or newsmaterials.

Volume 1, Issue 3

Simplified Amendment Practice.

ment paragraph (sections (a) to (e) be used. See R 1.121

mandatory compliance with the revised rule is not required until March 1, 2001. It is suggested that agency adopt the revised proposed rule after December 7, 2000, in order to reflect the changes in amendment practice.

Under the new amendment practice, amendments to the specification must be made by the submitter of the clean new or replacement paragraphs, section(s), specification, or claims. This practice will provide a specification (including the rest) in clean, or substantially clean, form and can be effectively used if a consent to a practical character requirement is NOT requested during the patent process.

The entire rule may be found at the USPIO Website at <http://www.uspto.gov/web/offices/com/patent/index.html>.

Areas and Individual Tasks
Primarily a responsibility for this
will change to a more
Individual, Interactive and
Tech Support Staff in the
Technology Centers
(2) Office of Content
a. Publication

Joe Narcavage,
Special Projects Ext.
7703-305-1795
OPIA

The new section requires applicant to furnish, in addition to the claim or claim of a replacement part of the section/claim, a marked claim in using applicant's own or conventional markings to indicate the claim will not be used or in identifying the claim as a "mark". The marked claim is to be the previous claim to indicate how it is to be used how the previous claim has been marked to produce the claim as admitted in the current amendment. The term "previous claim" means the version of the claim in the application as originally filed or the previous, admitted amendment.

The following format is suggested in an amendment paper: (1) a clean version of each amendment paragraph or section/claim with circled sections for entry, (2) starting on a separate page, any remarks or comments (37 CFR 1.111-1.114).

*Amendment by
paragraph/claim
replacement in clean form*

MPEP 714 + & 1302.04